

FILED
AUG 26 2008
RICHARD W. WILKINS
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

VRW

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RUSSELL MARTIN

Plaintiff;

vs.

M.S. EVANS, et al;

Defendant.

CV 08 4067
CASE NO.

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

(PR)

I, RUSSELL MARTIN, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: NONE Net: _____

Employer: _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4
 5 NONE
 6

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

9 a. Business, Profession or Yes ___ No X
 10 self employment

11 b. Income from stocks, bonds, Yes ___ No X
 12 or royalties?

13 c. Rent payments? Yes ___ No X

14 d. Pensions, annuities, or Yes ___ No X
 15 life insurance payments?

16 e. Federal or State welfare payments, Yes ___ No X
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21
 22

23 3. Are you married? Yes ___ No X

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income: _____

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ NONE

- b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

NONE

5. Do you own or are you buying a home? Yes ___ No X

Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

6. Do you own an automobile? Yes ___ No X

Make _____ Year _____ Model _____

Is it financed? Yes ___ No X • If so, Total due: \$ _____

Monthly Payment: \$ _____

7. Do you have a bank account? Yes ___ No X (Do not include account numbers.)

Name(s) and address(es) of bank: _____

Present balance(s): \$ _____

Do you own any cash? Yes ___ No X Amount: \$ _____

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ___ No X

8. What are your monthly expenses?

Rent: \$ / Utilities: /

Food: \$ / Clothing: /

Charge Accounts:

<u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
<u>/</u>	\$ <u>/</u>	\$ <u>/</u>
<u>/</u>	\$ <u>NONE</u>	\$ <u>/</u>
<u>/</u>	\$ <u>/</u>	\$ <u>/</u>

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)

3
4 NONE

5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes ___ No X

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.

9
10
11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15
16 8/14/2008

17 DATE

16 Russell Martin

17 SIGNATURE OF APPLICANT

Case Number: _____

CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Russell Martin for the last six months
[prisoner name]
Mule Creek State Prison where (s)he is confined.
[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 0 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 0.

Dated: 8-18-08

S. Littlejohn
[Authorized officer of the institution]

REPORT ID: TS3030 .701 REPORT DATE: 08/06/08 PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
SALINAS VALLEY STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN. 01, 2008 THRU AUG. 06, 2008

ACCOUNT NUMBER : E67269 BED/CELL NUMBER:
ACCOUNT NAME : MARTIN, RUSSELL ACCOUNT TYPE: T
PRIVILEGE GROUP: TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	0.00	0.00	0.00	0.00	0.00

CURRENT
AVAILABLE
BALANCE

0.00

*Statement for the last
six months*

CALIFORNIA DEPARTMENT OF CORRECTIONS
MULE CREEK STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN 18, 2008 THRU AUG 18, 2008

ACCOUNT NUMBER : E67289 BED/CELL NUMBER: A 07280001
ACCOUNT NAME : MARTIN, RUSSELL ACCOUNT TYPE: 1
PRIVILEGE GROUP: B

TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
07/08/2008	H107	POSTAGE HOLD	0707 0104	1.00
07/08/2008	H107	POSTAGE HOLD	0707 0104	1.00
07/24/2008	H118	LEGAL COPIES HOLD	0722 0333	0.10
07/24/2008	H118	LEGAL COPIES HOLD	0722 0333	0.10
07/29/2008	H109	LEGAL POSTAGE HOLD	0727 0396	0.42
07/30/2008	H109	LEGAL POSTAGE HOLD	0729 0436	1.00
07/30/2008	H109	LEGAL POSTAGE HOLD	0729 0436	0.40
08/06/2008	H118	LEGAL COPIES HOLD	0729 0523	0.10
08/06/2008	H118	LEGAL COPIES HOLD	0729 0523	1.80
08/06/2008	H118	LEGAL COPIES HOLD	0805 0523	0.30
08/06/2008	H118	LEGAL COPIES HOLD	0805 0523	0.00
08/07/2008	H109	LEGAL POSTAGE HOLD	0802 0535	1.00
08/07/2008	H109	LEGAL POSTAGE HOLD	0805 0535	0.40
08/07/2008	H109	LEGAL POSTAGE HOLD	0805 0535	1.00
08/07/2008	H109	LEGAL POSTAGE HOLD	0805 0535	1.00
08/08/2008	H114	COPAY FEE, MED.	COPAY 0555	0.00
08/13/2008	H118	LEGAL COPIES HOLD	0812 0627	24.00
08/14/2008	H109	LEGAL POSTAGE HOLD	0812 0632	1.00
08/14/2008	H109	LEGAL POSTAGE HOLD	0812 0632	0.40
08/14/2008	H109	LEGAL POSTAGE HOLD	0812 0632	1.00

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRAIL BALANCE
0.00	0.00	0.00	0.00	52.38	0.00

08/18/08
11:41 AM
BALANCE
52.38



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE
ATTEST: 8-18-08
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY H. Rittlyshon
TRUST OFFICE